

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
ALBANY GEORGIA**

JONATHAN SCOTT WADE,

Plaintiff

v.

JAMES DONALD, et. al.,

Defendants

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1:05-CV-93 (WLS)

**ORDER**

Before the Court is a Report and Recommendation from United States Magistrate Judge Richard L. Hodge filed on November 10, 2005. (Doc. 5). It is recommended that Plaintiff's claims against Defendant James Donald be dismissed with prejudice; and that Plaintiff's claims against the Jane Doe Defendants be dismissed without prejudice. *Id.* It is also recommended that Plaintiff be permitted to amend his complaint at a later date provided he is able to ascertain the proper names. *Id.* No objection has been filed.

Upon full review and consideration upon the record, the Court finds that the Report and Recommendation (Doc. 5) should be, and hereby is, **ACCEPTED, ADOPTED** and made the Order of this Court for reason of the findings made and reasons stated therein. Accordingly, Plaintiff's claims against Defendant James Donald (Doc. 1) are **DISMISSED WITH PREJUDICE**; and Plaintiff's claims against the Jane Doe Defendants (Doc. 1) are **DISMISSED WITHOUT PREJUDICE**. Plaintiff is **PERMITTED** to amend his complaint in accordance with the Federal Rules of Civil Procedure at a later date provided he is able to ascertain the proper names.

**SO ORDERED**, this 19<sup>th</sup> day of May, 2006.

/s/W. Louis Sands  
**W. LOUIS SANDS, CHIEF JUDGE**  
**UNITED STATES DISTRICT COURT**